

WL 2558168 (Fed. Cir. June 13, 2017), have a legal holding applicable to the patents asserted in this case. Rather, the Federal Circuit reviewed the ITC's findings and conclusions as to obviousness concerning Navico's U.S. Patents 8,305,840 and 8,605,550. While the appellate court held certain claims of those patents obvious based on the combination of two prior art references also at issue here (Tucker and Betts), *Garmin*, 2017 WL 2558175, at *6, the '840 Patent and '550 Patent are not at issue in this case. Moreover, the appellate court did not hold there was a motivation to combine Tucker and Betts as a matter of law, but rather that there was substantial evidence to support the ITC's finding of such a motivation. *Navico*, 2017 2558168, at *6 ("There was substantial evidence to find such a motivation.").

Having considered the Report and Garmin's objections, the Court concludes Magistrate Judge Payne's Report and Recommendation is correct. **IT IS THEREFORE ORDERED** that the Report and Recommendation (Dkt. No. 200) is hereby **ADOPTED**. Garmin's Motion for Partial Summary Judgment (Dkt. No. 165) is **DENIED**.

So ORDERED and SIGNED this 6th day of September, 2017.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE